

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PURDUE PHARMA L.P.,
THE P.F. LABORATORIES, INC.,
PURDUE PHARMACEUTICALS L.P., and
RHODES TECHNOLOGIES,

Plaintiffs,

v.

COLLEGIUM PHARMACEUTICAL, INC.,

Defendant.

)
)
)
)
) C.A. No. 15-cv-13099-FDS

)
) (Lead Docket No.)

)
) **re Member Case: 17-cv-10690**

STIPULATION OF DISMISSAL OF MEMBER CASE 17-CV-10690

WHEREAS the Court has granted (D.I. 162) Plaintiffs' motion for leave to file an amended complaint in the Lead Case to add counts of infringement of U.S. Patent No. 9,522,919, the only patent at issue in member case 17-cv-10690;

WHEREAS Plaintiffs have filed their Amended Complaint (D.I. 163) and Defendant has answered that Amended Complaint (D.I. 164); and

WHEREAS allegations in the Amended Complaint in the Lead Case subsume the allegations in member case 17-cv-10690, and in the interests of judicial efficiency;

Pursuant to Rule 41(a)(1)(A)(ii) and (c) of the Federal Rules of Civil Procedure, the parties hereby stipulate that all claims and counterclaims of member case 17-cv-10690 are dismissed without prejudice. This stipulation and agreement has no effect on any claims, counterclaims, and affirmative defenses asserted in the Amended Complaint or Answer, or otherwise asserted in the past, currently, or in the future in 15-cv-13099-FDS.

AGREED AND STIPULATED TO:

Dated: February 26, 2018

/s/ Kenneth S. Canfield

Christopher M. Morrison (BBO# 651335)
JONES DAY
100 High Street
21st Floor
Boston, MA 02110
Telephone: (617) 960-3939
Facsimile: (617) 449-6999
cmorrison@jonesday.com

John J. Normile (pro hac vice)
Pablo D. Hendler (pro hac vice)
Kenneth S. Canfield (pro hac vice)
JONES DAY
250 Vesey Street
New York, NY 10281
Telephone: (212) 326-3939
Facsimile: (212) 755-7306
jjnormile@jonesday.com
phendler@jonesday.com
kcanfield@jonesday.com

Gregory Castanias (pro hac vice)
Jennifer L. Swize (pro hac vice)
JONES DAY
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Telephone: (202) 879-3939
gcastanias@jonesday.com
jswize@jonesday.com

Attorneys for Plaintiffs

/s/ Christopher A. Pinahs

Jake M. Holdreith (admitted *pro hac vice*)
Christopher A. Pinahs (admitted *pro hac vice*)
Kelsey J. Thorkelson (admitted *pro hac vice*)
Robins Kaplan LLP
800 LaSalle Avenue
Suite 2800
Minneapolis, MN 55402
612 349 8500
JHoldreith.RobinsKaplan.com
CPinahs@RobinsKaplan.com
KThorkelson@RobinsKaplan.com

Oren D. Langer (admitted *pro hac vice*)
Robins Kaplan LLP
399 Park Avenue
Suite 3600
New York, NY 10022
212 980 7400
OLanger@RobinsKaplan.com

Christopher P. Sullivan (BBO#485120)
Robins Kaplan LLP
800 Boylston Street
Suite 2500
Boston, MA 02199
CSullivan@RobinsKaplan.com

Attorneys For Defendant
Collegium Pharmaceutical, Inc.

CERTIFICATE OF SERVICE

I, Kenneth S. Canfield, hereby certify that I have on this 26th day of February, 2018, filed a copy of the foregoing through the Court's CM/ECF system, which will serve an electronic copy on counsel of record identified in the Notice of Electronic Filing.

/s/ Kenneth S. Canfield